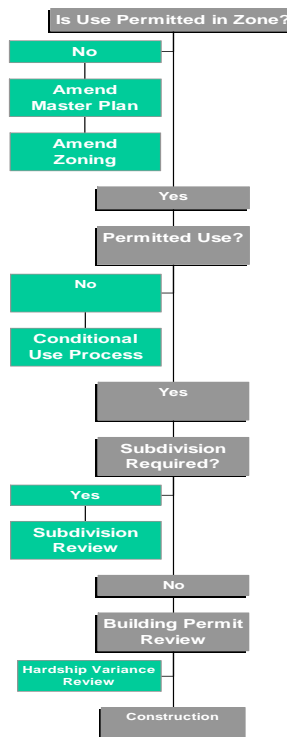


## CHAPTER 4: SUBMITTAL REQUIREMENTS

### 4.1 DEVELOPMENT PROCESS

The following diagram has been prepared to give a visual representation of the Development process and which correlates the submittal process.

#### Development Review Process



### 4.2 SUBMITTAL REQUIREMENT TABLES

The following tables have been prepared to simplify the determination of which permits and regulations apply to a given action, and the information that is required to be submitted to obtain such permits and their associated approvals. The tables are sequential and cumulative. Use them as follows:

- a. Review the numbered list of activities in Table 1 and determine which activity most closely resembles the action you propose to undertake. Note the permits that are required for that activity.
- b. Refer to Table 2 to determine the documents that must be submitted with the various types of permits.
- c. Refer to Table 3 to see the requirements/content of each drawing, plan or other document that must be submitted.

These tables are necessarily simplified and abbreviated and may be modified by resolution as needed. Additional information regarding key documents is presented below and may be modified by resolution as needed.

### **4.3. SUBMITTALS**

#### **4.3.1 APPLICATION AND FEES**

- a. The application form and associated instructions for each specific action may be obtained from the Town Hall. All applications must include an accurate legal description of the land included in the application.
- b. Each application must be accompanied by the applicable fee payment. A Consolidated Fee Schedule for each type of application is maintained by the Town and is available at the Town Hall.
- c. Each application must be submitted with required master (original) and duplicate copies to be submitted to Town staff and approval body for review and approval.
- d. Each application must be submitted to Town Hall by 1:00 p.m., two weeks (14 days) prior to the meeting of the Board of Adjustment, Planning Commission or Town Council at which action is requested.
- e. The Town Staff will review the application packet prior to the meeting and determine if all information is complete and accurate. If the application is incomplete, the Town Manager or authorized representative shall inform the applicant of the deficiencies and shall determine if the application shall be removed from the meeting agenda or forwarded to the approval body with an explanation of the deficiencies. Items removed from the meeting agenda shall remain tabled until all required information is submitted by the applicant.
- f. The Town Staff may modify the application and associated instructions as needed to clarify the approval process as long as it does not violate the provisions of the Land Management Code.

#### **4.3.2 TITLE REPORT**

A title report must be prepared by a title company or other entity bonded to ensure the accuracy of the Title information. The title report must be dated no more than 90 days prior to its submission to the Town.

#### **4.3.3 VICINITY MAP**

A map showing the project location relative to Brian Head Town. The map may be at any legible scale, and may be an inset on another plan or drawing (e.g., Existing Conditions plan). It shall show the Town boundaries, major roads (e.g., Highway 143) and minor roads that serve the property. It shall clearly identify where it is located in the town and identify businesses or condominium projects adjacent to the property to indicate the location.

#### **4.3.4 DEVELOPMENT REPORT/STATEMENT OF INTENT**

- a. The name and location of the property and applicant;
- b. If the applicant is represented by an agent, a statement from the applicant authorizing the agent to act;
- c. The name and address of the person, firm or organization preparing the application and a statement indicating the record owner's permission to submit the application;
- d. An explanation of the purpose of the proposed action and proposed land use, including building descriptions, variations in building setbacks, parking, height or other requirements that are being sought;
- e. A development schedule indicating the approximate date of the development or stages of the development with expected completion dates;
- f. Assessment of the availability and capacity of public infrastructure (utilities, roads) to serve the proposed use;
- g. Any special agreements, conveyances, restrictions, or covenants, which will govern the use, maintenance, and continued protection of the development and any of its common areas.

#### **4.3.5 DEVELOPMENT AGREEMENT**

A document signed by the applicant prior to approval of Final Plat or Building Permit that memorializes the obligations, commitments and representations made by the proponent in review meetings, as well as any conditions of approval. The development agreement may include or substitute for a security agreement insofar as it contains commitments to site improvements secured by a bond or other form of security. All minutes of public review sessions are incorporated into the development agreement by reference.

#### **4.3.6 REFERRAL PACKET**

The applicant will provide mailing list/labels of the owners, including condominium owners, of abutting properties located partly or entirely within three hundred feet (300') of any boundary of the property subject to the application and as required in Table 2, and their current mailing addresses available at the County Records Office. The mailing list shall be certified by a professional engineer, attorney, title company or similar qualified individual. The referral packet

shall include a statement of intent for the project, the name of the project, location (address) and name of applicant, a development schedule, notification of the meeting schedule with defined format and time for comments and a vicinity map as defined in 4.3.3. The staff will prepare and mail referral packet to adjacent land owners as well as appropriate agencies. The mailing will be paid for by the applicant.

#### **4.3.7 SOIL/GEOLOGY REPORT**

A detailed soil/geology report is required during the preliminary consideration of all building permits and subdivision plats. It shall be based upon adequate test borings, excavations, and geologic evaluations prepared by a geological/engineering firm specializing in soil mechanics and registered by the State of Utah. Excavations and/or borings shall be located on the proposed building pad. Reduced cost shall not be justification for more distant convenient locations.

Additional soil/geologic investigation may be required if the report indicates the presence of conditions that, if not corrected or adequately addressed through design, could lead to structural damage or premature deterioration of the building or damage to surrounding improvements, whether public or private, or damage to surrounding lots. Such conditions may include, but not be limited to:

- expansive soils
- high water table
- soluble mineral veins
- slope instability
- buried slides
- buried stream channels
- fault zones

The investigation shall include visual appraisal of adjacent lots for surface geologic/topographic conditions which could threaten the proposed building site. The soil/geologic report shall also:

- a) Recommend corrective action or building design specifications intended to prevent potential dangers found in the investigation;
- b) State whether the site is buildable or unbuildable because of any potentially threatening conditions which are not economically or technically correctable or avoidable by currently known building practices and codes. (One such example would be the existence of an active or inactive deeply buried landslide.)

#### **4.3.8 COVENANTS, CONDITIONS AND RESTRICTIONS**

Covenants, conditions, and restrictions (CC&R's) shall be required for all subdivisions where common elements are shared by two or more owners of the subdivision. CCR's shall include by reference the landscaping requirements outlined in the Brian Head Land Management Code and the minimum Design Guidelines and standards as adopted by the Town Council by ordinance and may also include other conditions or restrictions as determined by the Subdivider. Two copies of the CC&R's shall be submitted with the final plat.

#### **4.3.9 SECURITY AGREEMENT**

Prior to approval of Final Plat or Occupancy Permit, as required under Chapter 13 (Enforcement) of this Title, the applicant shall enter into a security agreement that memorializes the terms and type of security (such as a bond, letter of credit, or escrow account) to guarantee the timely completion of site improvements that are the obligation of the applicant.

#### **4.3.10 DESCRIPTIONS OF KEY PLAN/DRAWING CONTENTS (Table 3)**

**a. SITE BOUNDARIES WITH DIMENSIONS**

Show on all plans the property boundaries, accurately depicted with bearings and distances based on a recorded plat. Include a copy of the recorded plat with other submittals.

**b. BOUNDARIES OF PROTECTION AREAS**

Show official boundaries of wetlands (as per US Army Corps of Engineers), floodplains (100 year, as per US FEMA maps, or engineering calculations), and spring and well protection areas (as determined by Public Works Department or Town Engineer).

**c. EXISTING AND PROPOSED TOPOGRAPHY**

Show contours at not more than two-foot intervals for areas of less than ten percent (10%) slope and not more than five-foot intervals for areas over ten percent (10%) slope. Such contour maps shall be based on Iron County data. The closest established survey monument shall be used and its location/elevation noted. Clearly designate the following slope categories:

- i. 0-10 % slopes (0-5.7 degrees)
- ii. 11-25 % slopes (6.3-14 degrees)
- iii. 26-39 % slopes (14.6-21.3 degrees)
- iv. 40% and greater slopes (21.8 degrees)

**d. EXISTING CONDITIONS (Vegetation, Roads, Utilities, Buildings, etc.)**

In addition to showing existing conditions on the property, also show conditions immediately adjacent to the property as well as the location of any improvements that may be required to be constructed beyond the boundaries of the subdivision or project where applicable.

**e. CALCULATIONS OF SITE DATA TABLE**

Include the following data, in table form, on the proposed site plan:

- i. Ground disturbance (calculate area)
- ii. Number of units
- iii. Number of bedrooms
- iv. Parking spaces required
- v. Parking spaces provided

- vi. Ground coverage (calculate area)
- vii. Landscape coverage (calculate area)
- viii. Undisturbed land area (calculate area)
- ix. Snow storage (calculate area)
- f. DETAILED LANDSCAPE PLAN  
Show all landscaped areas; include plans for walls, patios, fences, trees, and other vegetation. Vegetation plan shall include species, variety, number to be planted and size of plant on a legend page. Show areas of lot that will remain undisturbed. The plan shall provide adequate detail to determine planting locations and shall take into account impact of snow storage, roof snow shed, and Wildland Urban Interface Code requirements.
- g. PRELIMINARY CONSTRUCTION PLANS
  - ii. Site plans showing footprints of all structures and paved surfaces
  - iii. Sections through the structure(s) and the site, with maximum heights noted
  - iv. Preliminary elevations (exterior views of the building)
  - v. Exhibits to demonstrate compliance with Brian Head Design Standards (Chapter 12), including elevations, and material samples showing textures, and color.
- h. FINAL CONSTRUCTION PLANS
  - i. Site plans
  - ii. Floor plans including fire protection
  - iii. Sections through all structures
  - iv. Exterior elevations showing vertical dimensions, exterior finishing materials, roof slope and covering materials, exits, stair enclosures, and exterior grades
  - v. Architectural renderings
  - vi. Exhibits to demonstrate compliance with Brian Head Design Standards, including elevations, and material samples showing textures, and color.
  - vii. Other information required by the building codes currently adopted in the State of Utah and associated Federal, State and local laws
- i. FINAL PLAT DATA
  - i. Calculation and traverse sheets giving bearings, distances and coordinates of the boundary of the subdivision and blocks and lots as shown on the final plat.
  - ii. Design data, assumptions and computation in accordance with sound engineering practice, along with plan, section and profile sheets for all public improvements.
  - iii. Current title report that has been prepared within 90 days of application.
  - iv. Covenants, Conditions and Restrictions (if required).
  - v. Details of all exterior masonry or concrete walls, to demonstrate compliance with Design Standards, including elevations, and material samples showing textures, and color .
  - vi. The words "Street," "Avenue," "Road," "Place," "Drive," "Court," or other designation of any street shall be spelled out in full on the plat and shall be subject to approval by the Land Use Authority.

(Include Chapter 4 Tables 1-3)